

Exhibit

1

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

YOUNG AMERICA'S FOUNDATION;
BINGHAMTON UNIVERSITY COLLEGE
REPUBLICANS; and JON LIZAK,
President of the College Republicans of
Binghamton University,

Plaintiffs,

v.

HARVEY STENGER, President of the
SUNY-Binghamton, in his official and
individual capacities; BRIAN ROSE, Vice
President for Student Affairs of SUNY-
Binghamton, in his official and individual
capacities; JOHN PELLETIER, Chief of
SUNY-Binghamton UPD, in his official
and individual capacities; COLLEGE
PROGRESSIVES, a student organization
at SUNY-Binghamton; PROGRESSIVE
LEADERS OF TOMORROW ("PLOT");
STUDENT ASSOCIATION OF
BINGHAMTON UNIVERSITY,

Defendants.

Civ. Action No. 3:20-cv-822 (LEK/ML)

**Plaintiffs' Response to State Defendants'
Requests for Production of Documents**

Under Rule 34 of the Federal Rules of Civil Procedure, Plaintiffs submit the following responses to Defendants Stenger's, Rose's, and Pelletier's ("State Defendants") discovery requests dated January 12, 2023 and January 20, 2023. All responses are made subject to and without waiving any objections. Plaintiffs reserve the right to supplement any responses as necessary if more responsive documents are discovered.

General Objections

1. Plaintiffs object to each request to the extent that it purports to require Plaintiffs to provide information that is publicly available or in the possession, custody, or control of State Defendants.
2. Plaintiffs object to each request to the extent that it seeks information that is protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege, immunity, or protection of confidentiality provided by law. To the extent Plaintiffs disclose any such information, it is inadvertent and not intended to waive those privileges or protections.
3. Plaintiff objects to each request to the extent that it seeks to impose obligations beyond those imposed by the rules and incorporated statutes governing these proceedings.

Requests for Production

1. Any and all text message between Raj Kannappan and John Restuccia;
 - a. **Response:** Plaintiffs object to this request as overbroad, unreasonably onerous, and outside the scope of what Plaintiffs could reasonably be expected to do. Additionally, counsel does not have the ability or authority to search the personal communications of non-party individuals.

Notwithstanding those objections, Plaintiffs do not have any responsive documents in their possession, custody, or control.

2. The general questionnaire(s), contract and speaker packet referred to in Defendants' deposition Exhibit 4;
 - a. **Response:** Plaintiffs are not currently in possession, custody, or control of documents responsive to this request. Plaintiffs reserve the right to supplement this production if they locate any responsive documents.
3. Any records, e-mails, documents or other materials which reflect any funding provided by Jeff Coughlan or any other individuals referenced in Defendants' deposition exhibits 6, 18;
 - a. **Response:** Plaintiffs are producing BING_PL_00000633 in response to this request.
4. Current contact information for Mark Trammel and Karl Stahfeld;
 - a. **Response:** Below is the current contact information available to Plaintiffs for Mark Trammel and Karl Stahfeld.
 - i. Mark Trammell
MTrammell@dhillonlaw.com
(301)471-5529
409 Potomac View Parkway
Brunswick, MD 21716
 - ii. Karl Stahfeld
Kstahlfeld6@gmail.com
1717 S Prairie Ave, Unit 1708
Chicago, IL 60616
5. Copies of any text messages between Raj Kannappan and any member of the BU College Republicans between July – November 2019;

- a. **Response:** Plaintiffs object to this request as overbroad, unreasonably onerous, and outside the scope of what Plaintiffs could reasonably be expected to do. Additionally, counsel does not have the ability or authority to search personal communications of non-party individuals. Notwithstanding those objections, Plaintiffs do not have any responsive documents in their possession, custody, or control.
6. Copies of any text messages sent by Raj Kannappan on November 18, 2019, including messages sent from BU and/or during the Laffer Event;
 - a. **Response:** Plaintiffs object to this request as vague and overbroad. Additionally, counsel does not have the ability or authority to search personal communications of non-party individuals. Notwithstanding those objections, Plaintiffs do not have any responsive documents in their possession, custody, or control.
7. Copies of any records which substantiate the expenses claimed in paragraphs 145 of the Complaint – Mr. Kannappan testified that such records are maintained by YAF;
 - a. **Response:** In response to this request, Plaintiffs are producing copies of invoices and credit card statements from Raj Kannappan and Karl Stahfeld, which are Bates numbered BING_PL_00000605 – 622; 636 and 637.
8. Copies of any photos sent to Raj Kannappan regarding room(s) booked for the Laffer Event, including enclosure texts, messages and/or e-mails;
 - a. **Response:** Plaintiffs object to this request as not reasonably calculated to lead to the discovery of admissible evidence. Further, counsel does not have

the ability or authority to search personal communications of non-party individuals. Notwithstanding those objections, Plaintiffs are not in possession, custody, or control of any documents responsive to this request.

9. Copies of the “talking points” provided to Dr. Laffer as referenced in Defendants’ deposition Exhibit 22, BS 186;
 - a. **Response:** Plaintiffs are currently not in possession, custody, or control of any documents responsive to this request. However, Plaintiffs reserve the right to supplement this production if they locate any responsive documents.
10. Copies of the “documentation” compiled by John Restuccia and provided to YAF, as referenced in Defendants’ deposition Exhibit 23, BS 138, 10:46 a.m. e-mail;
 - a. **Response:** John Restuccia voluntarily searched for the requested documentation and was unsuccessful. Plaintiffs reserve the right to supplement this production if they locate any responsive documents.
11. Copy of the facebook post referenced in Defendants’ deposition Exhibit 23, BS 138, 12:31 e-mail;
 - a. **Response:** John Restuccia voluntarily searched for the requested documentation and was unsuccessful. Plaintiffs reserve the right to supplement this production if any responsive documents are located.
12. Copy of the invoice and any payment records for the invoice referenced in Defendants’ deposition Exhibit 25;

- a. **Response:** Plaintiffs are producing BING_PL_00000607 in response to this request.
13. Copies of any fundraising materials related to the BU College Republicans, the Tabling Event and/or Laffer Event, including 1. direct physical mailings; 2. Handouts or written materials prepared for in-person fundraising meetings; 3. Handouts or written materials prepared for in-person donor events; 4. Website posts; 5. Social media posts; and/or 6. E-mails;
 - a. **Response:** Plaintiffs object to this request as vague, overbroad, and not relevant to any of State Defendants' defenses. Notwithstanding those objections, Plaintiffs are currently not in possession, custody, or control of any documents responsive to this request. Plaintiffs reserve the right to supplement this request if they locate any responsive documents.
14. Copies of any records reflecting funds raised by or donated to YAF related to the events alleged in the complaints, including but not limited to by methods described in #13, above, and the e-mail marked as Defendants' deposition Exhibit 27.
 - a. **Response:** Plaintiffs are producing BING_PL_00000633, a December 9, 2019 from Young America's Foundation to Jeffrey Coghlan, in response to this request.
15. Any records regarding the donations made as identified in Defendants' Deposition Ex. 6 (Bing_PL_00000119 – 120), and which Restuccia identified as \$15,000 raised by the Binghamton University ("BU") College Republicans ("CR") to host Dr. Laffer;

- a. **Response:** Plaintiffs object to this request as vague, overbroad, and not relevant to any of State Defendants' defenses. Notwithstanding those objections, Plaintiffs are currently not in possession, custody, or control of any documents responsive to this request. Plaintiffs reserve the right to supplement this request if they locate any responsive documents.
16. Copies of all College Republicans "GroupMe" chats for Fall semester 2019 and/or during Mr. Restuccia's Presidency of that organization;
 - a. **Response:** Plaintiffs object to this request as vague and overbroad. Notwithstanding those objections, John Restuccia voluntarily attempted to search for any GroupMe records and was unsuccessful. Plaintiffs are not currently in possession, custody, or control of any documents responsive to this request.
17. Copies of Restuccia's written introduction of Dr. Laffer read on Nov. 18, 2019, and any drafts and/or emails circulated between Restuccia, College Republicans membership, YAF representatives and/or any third party or parties;
 - a. **Response:** Plaintiffs object to this request as not relevant to any of State Defendants' defenses. Notwithstanding that objection, John Restuccia searched his files and did not locate any responsive records.
18. Copies of any emails sent/received from the following email addresses regarding the Dr. Laffer Event, creation, distribution or provision of "free speech" signs used at the 11/18/19 Laffer Event, the 11/14/19 tabling event, the appearance of TP USA at the 11/14/19 Tabling Event, and any and all BU College Republicans events or meetings from August 2019 – present from the

following email addresses: restuccia1@gmail.com, jrestuc1@binghamton.edu, republicans@binghamtonsa.org, Lizakjon@gmail.com, pcscagnelli@gmail.com;

- a. **Response:** Plaintiffs object to this request as vague, overbroad, and not reasonably related to any of State Defendants' defenses. Notwithstanding those objections, Plaintiffs are not presently in possession, custody, or control of any documents responsive to this request.
19. Emails sent/received from any member of BU College Republicans which fit the criteria set forth in #4, above, from their "@binghamton.edu" or other BU or SA-sponsored e-mail addresses. To the extent that such email addresses are no longer able to be accessed by or are available to any former BU student who was a members of BU CR, please provide an authorization permitting defendants to search those email addresses for relevant emails, copies of which will be provided in full to Plaintiff's counsel.
 - a. **Response:** Plaintiffs object to this request as vague, overbroad, and unreasonably onerous. Notwithstanding those objections, Plaintiffs consent to (1) State Defendants drafting an authorization for each individual email address they wish to search, subject to Plaintiffs' (or that individual's) review and consent; (2) State Defendants producing any documents that hit on search terms to Plaintiffs for review in the first instance; (3) after which Plaintiffs will produce relevant documents, if any, to State Defendants.

Plaintiffs reserve the right to supplement today's production on a rolling basis.

Dated: March 3, 2022

/s/ Andrew C. Hruska
Andrew C. Hruska
Joseph L. Zales
Hamilton Craig
Steven L. Miller
King & Spalding LLP
1185 Avenue of the Americas
New York, NY 10036
(212) 556-2100
ahruska@kslaw.com
Counsel for Plaintiffs

/s/ Tyson C. Langhofer
Tyson C. Langhofer*
KS Bar No. 19241
Philip A. Sechler*
Alliance Defending Freedom
20116 Ashbrook Pl., Ste. 250
Ashburn, VA 20147
(571) 707-4655
tlanghofer@ADFlegal.org
psechler@ADFlegal.org
Counsel for Plaintiffs
*Admission Pro Hac Vice Pending

Exhibit

2

From: [Moore, John](#)
To: [Steve Miller](#)
Cc: [Tom Saitta](#); peteropc@gmail.com
Subject: YAF v Stenger - Blakeslee follow-up
Date: Friday, March 10, 2023 3:34:00 PM

Hi Steve:

As requested at the deposition of College Republicans (CR) VP Logan Blakeslee today, we are requesting the following:

1. Documents related to the Fall 2019 appearance of CR-hosted speaker Larry Sharpe, including any room reservations, emails, group messages, flyers, advertisements or any other documents relating to this event;
2. Information from the CR club page regarding dates of membership, officers, and date(s) of any club-hosted events, speakers or tabling;
3. Blakeslee's last known address/contact information for Samuel Kessler (to the extent different than the University's information re: same forwarded to counsel on 3.8.2023; and
4. The College Republicans' social media statement denouncing Lizak, and any comments directed thereto.

Thanks,
John

John F. Moore, A.A.G.
Litigation Bureau
NYS Attorney General
The Capitol, Albany, NY 12224
Ph: 518/776-2293
Fx: 518/915-7738 (not for service of papers)

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Exhibit

3

From: [Moore, John](#)
To: [Hamilton Craig](#)
Cc: [Kuryluk, Amanda](#); [Tom Saitta](#)
Subject: Follow-up to Lizak deposition - documents requested
Date: Thursday, March 16, 2023 4:53:00 PM

Hi Hamilton:

This is a follow-up to requests made at the Lizak deposition. Can you please provide:

1. Copies of GroupMe messages from the College Republicans and/or Lizak account which pertain to messages authored, sent, and/or received by BU College Republicans regarding the Dr. Laffer Event, creation, distribution or provision of "free speech" signs used at the 11/18/19 Laffer Event, the 11/14/19 tabling event, the appearance of TP USA at the 11/14/19 Tabling Event, suspension of BU College Republicans, including but not limited to College Republicans' B-there account, communications with named defendants, and any and all BU College Republicans events, speakers hosted, tablings, distribution of flyers or signs, room or space reservations, or meetings from August 2019 – present;
2. Copies of e-mails the College Republicans and/or Lizak account authored, sent, and/or received by BU Republicans or Lizak regarding the Dr. Laffer Event, creation, distribution or provision of "free speech" signs used at the 11/18/19 Laffer Event, the 11/14/19 tabling event, the appearance of TP USA at the 11/14/19 Tabling Event, suspension of BU College Republicans, including but not limited to College Republicans' B-there account, communications with named defendants, and any and all BU College Republicans events, speakers hosted, tablings, distribution of flyers or signs, room or space reservations, or meetings from August 2019 – present (* we will forward authorizations for signature by CRs related to BU-hosted e-mail addresses);
3. Copies of texts sent from the Verizon account for phone # 631-678-6587 authored, sent, and/or received by BU Republicans or Lizak regarding the Dr. Laffer Event, creation, distribution or provision of "free speech" signs used at the 11/18/19 Laffer Event, the 11/14/19 tabling event, the appearance of TP USA at the 11/14/19 Tabling Event, suspension of BU College Republicans, including but not limited to College Republicans' B-there account, communications with named defendants, and any and all BU College Republicans events, speakers hosted, tablings, distribution of flyers or signs, room or space reservations, or meetings from August 2019 – present (*or authorization to obtain same);
4. Copies of the "voter registration" or Dr Laffer Event prepared by Lizak and/or College Republicans as testified to by Lizak;
5. Current address, phone and/or email maintained by Lizak for Kyle Nelson;
6. Copies of Lizak e-mails sent to and received from YAF regarding Exhibit 27, and all attachments/drafts annexed to said email; and
7. Copies of any statement authored by Lizak in connection with the police report marked as Exhibit JP3.

Thanks. if you require a more formal demand, please advise.

John

John F. Moore, A.A.G.
Litigation Bureau
NYS Attorney General
The Capitol, Albany, NY 12224
Ph: 518/776-2293
Fx: 518/915-7738 (not for service of papers)

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Exhibit

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From: [Moore, John](#)
To: [Hamilton Craig](#); [Joe Zales](#); [Steve Miller](#)
Cc: [Kuryluk, Amanda](#); [Tom Saitta](#); peteropc@gmail.com
Subject: RE: Follow-up to Lizak deposition - documents requested
Date: Wednesday, March 22, 2023 3:12:00 PM
Attachments: [email auth Bey - College Republicans.pdf](#)
[email auth Kestecher.pdf](#)
[email auth Lizak.pdf](#)
[email auth Restuccia_\(002\).pdf](#)
[email auth Nelson.pdf](#)

Counselors:

As a follow-up to our request for emails following the Lizak, Blakeslee, Bey, Kestecher and Restuccia depositions, I'm attaching authorizations for the signatures of Lizak, Kestecher, Restuccia and (preemptively) Nelson for copies of their Binghamton.edu emails regarding this issues in this litigation. As discussed, we will provide plaintiff's counsel with full copies of all emails if/when located.

We'd also requested from BU CR President Reign Bey copies of relevant emails from the SA College Republicans email address. I'm also annexing a proposed authorization for her signature for those emails. I expect when we receive it back, we'll need to send this as a record request to Tom as his client maintains these emails.

If you'd like to discuss, or if you require a more formal demand, don't hesitate to let me know.

Thanks,
John

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From: Moore, John
Sent: Thursday, March 16, 2023 4:53 PM
To: Hamilton Craig <HCraig@KSLAW.com>
Cc: Kuryluk, Amanda <Amanda.Kuryluk@ag.ny.gov>; Tom Saitta <tom.saitta@ailaw.com>
Subject: Follow-up to Lizak deposition - documents requested

Hi Hamilton:

This is a follow-up to requests made at the Lizak deposition. Can you please provide:

1. Copies of GroupMe messages from the College Republicans and/or Lizak account which pertain to messages authored, sent, and/or received by BU College Republicans regarding the Dr. Laffer Event, creation, distribution or provision of "free speech" signs used at the 11/18/19 Laffer Event, the 11/14/19 tabling event, the appearance of TP USA at the 11/14/19 Tabling Event, suspension of BU College Republicans, including but not limited to College Republicans' B-there account, communications with named defendants, and any and all BU College Republicans events, speakers hosted, tablings, distribution of flyers or signs, room or space reservations, or meetings from August 2019 – present;
2. Copies of e-mails the College Republicans and/or Lizak account authored, sent, and/or received by BU Republicans or Lizak regarding the Dr. Laffer Event, creation, distribution or provision of "free speech" signs used at the 11/18/19 Laffer Event, the 11/14/19 tabling event, the appearance of TP USA at the 11/14/19 Tabling Event, suspension of BU College Republicans, including but not limited to College Republicans' B-there account, communications with named defendants, and any and all BU College Republicans events, speakers hosted, tablings, distribution of flyers or signs, room or space reservations, or meetings from August 2019 – present (* we will forward authorizations for signature by CRs related to BU-hosted e-mail addresses);
3. Copies of texts sent from the Verizon account for phone # 631-678-6587 authored, sent, and/or received by BU Republicans or Lizak regarding the Dr. Laffer Event, creation, distribution or provision of "free speech" signs used at the 11/18/19 Laffer Event, the 11/14/19 tabling event, the appearance of TP USA at the 11/14/19 Tabling Event, suspension of BU College Republicans, including but not limited to College Republicans' B-there account, communications with named defendants, and any and all BU College Republicans events, speakers hosted, tablings, distribution of flyers or signs, room or space reservations, or meetings from August 2019 – present (*or authorization to obtain same);
4. Copies of the "voter registration" or Dr Laffer Event prepared by Lizak and/or College Republicans as testified to by Lizak;
5. Current address, phone and/or email maintained by Lizak for Kyle Nelson;
6. Copies of Lizak e-mails sent to and received from YAF regarding Exhibit 27, and all attachments/drafts annexed to said email; and
7. Copies of any statement authored by Lizak in connection with the police report marked as Exhibit JP3.

Thanks. if you require a more formal demand, please advise.

John

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Exhibit

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From: [Moore, John](#)
To: [Steve Miller](#)
Cc: [Tom Saitta](#); [peteropc@gmail.com](#); [Kuryluk, Amanda](#)
Subject: YAF v Stenger - Haynes deposition follow-up requests
Date: Friday, March 24, 2023 3:16:00 PM
Attachments: [email auth Haynes.pdf](#)

Hi Steve:

As a follow up to requests made at the Spencer Haynes deposition today, State Defendants make the following requests:

1. Copies of the “8 – 10” articles Mr. Haynes authored for the Binghamton Review regarding BU College Republicans, the Tabling Event and/or the Laffer Event;
2. Copies of GroupMe and/or group chats messages from the College Republicans and/or Mr. Haynes’ account which pertain to messages authored, sent, and/or received by BU College Republicans regarding the Dr. Laffer Event, creation, distribution or provision of “free speech” signs used at the 11/18/19 Laffer Event, the 11/14/19 tabling event, any plan to forgo requesting a permit for tabling and/or “free speech protest”, whether for Nov. 2019 or any other event in August – November 2019, the appearance of TP USA at the 11/14/19 Tabling Event, suspension of BU College Republicans, including but not limited to College Republicans’ B-there account, communications with named defendants, and any and all BU College Republicans events, speakers hosted, tablings, distribution of flyers or signs, room or space reservations, or meetings from August 2019 – present;
3. Copies of e-mails send to/from the College Republicans and/or Haynes account (shaynes2@binghamton.edu) which were authored, sent, and/or received by any BU Republicans or Haynes regarding the Dr. Laffer Event, creation, distribution or provision of “free speech” signs used at the 11/18/19 Laffer Event, the 11/14/19 tabling event, the appearance of TP USA at the 11/14/19 Tabling Event, suspension of BU College Republicans, including but not limited to College Republicans’ B-there account, communications with named defendants, and any and all BU College Republicans events, speakers hosted, tablings, distribution of flyers or signs, room or space reservations, or meetings from August 2019 – present;
4. Attached is an authorization for Mr. Haynes’ signature relating to search for or disclosure of specified emails from the account shaynes2@binghamton.edu;
5. Sebastian Roman’s last known address/e-mail/phone #;
6. Copies of any emails, texts or other written communications with UPD investigator “Mark” regarding the Laffer Event or any investigation thereof; and
7. To the extent not covered above, any and all communications (including but not limited to documents, emails, writings, texts, messages, group chats, GroupMe messages, social media posts or messages) regarding a plan to table without obtaining a permit to do so, including any plan to forgo requesting a permit for tabling and/or “free speech protest”, whether for the Nov. 14, 2019 tabling or any other event in August – December 2019.

If you require a more formal demand or clarification of the materials sought, please advise.

Thanks,

John

John F. Moore, A.A.G.
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NYS Attorney General
The Capitol, Albany, NY 12224
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Exhibit

6

From: [Moore, John](#)
To: [Steve Miller](#)
Cc: [Kuryluk, Amanda](#); [Joe Zales](#); [Hamilton Craig](#); [Tom Saitta](#); peteropc@gmail.com
Subject: YAF - Kyle Nelson deposition follow-up document requests
Date: Wednesday, March 29, 2023 12:47:00 PM

Hi Steve:

As a follow up to requests made at the Kyle Nelson deposition yesterday, State Defendants make the following requests:

1. Copies of GroupMe and/or group chats messages from the College Republicans and/or account maintained by Mr. Nelson (per his testimony) which pertain to messages authored, sent, and/or received by BU College Republicans regarding the Dr. Laffer Event, creation, distribution or provision of “free speech” signs used at the 11/18/19 Laffer Event, the 11/14/19 tabling event, any plan to forgo requesting a permit for tabling and/or “free speech protest”, whether for Nov. 2019 or any other event in August – November 2019, the appearance of TP USA at the 11/14/19 Tabling Event, suspension of BU College Republicans, including but not limited to College Republicans’ B-there account, communications with named defendants, and any and all BU College Republicans events, speakers hosted, tablings, distribution of flyers or signs, room or space reservations, or meetings from August 2019 – present;
2. Copies of e-mails sent to/from the College Republicans and/or Haynes account (knelson8@binghamton.edu) which were authored, sent, and/or received by any BU Republicans or Haynes regarding the Dr. Laffer Event, creation, distribution or provision of “free speech” signs used at the 11/18/19 Laffer Event, the 11/14/19 tabling event, the appearance of TP USA at the 11/14/19 Tabling Event, suspension of BU College Republicans, including but not limited to College Republicans’ B-there account, communications with named defendants, and any and all BU College Republicans events, speakers hosted, tablings, distribution of flyers or signs, room or space reservations, or meetings from August 2019 – present;
3. Please ask Mr. Nelson to sign the previously-provided authorization relating to search for or disclosure of specified emails from the account knelson8@binghamton.edu, and provide to this office;
4. Nick Ives’ last known address/e-mail/phone #;
5. Please provide the video recording made by Kyle Nelson at the Dr. Laffer Event.

If you require a more formal demand or clarification of the materials sought, please advise.

Thanks,
John

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Exhibit

7

From: [Moore, John](#)
To: [Kim Wade](#)
Cc: [Steve Miller](#); [Joe Zales](#); [Hamilton Craig](#); [Kuryluk, Amanda](#); [Tom Saitta](#)
Subject: YAF v Stenger - Preston Scagnelli follow-up document requests
Date: Thursday, March 30, 2023 4:17:00 PM
Attachments: [email auth Scagnelli.pdf](#)
[Defendants Exhibit 9.pdf](#)

Hi Kim:

As a follow up to requests made at the Preston Scagnelli deposition today, State Defendants make the following requests:

1. Copies of GroupMe and/or group chats messages from the College Republicans GroupMe account which pertain to messages authored, sent, and/or received by BU College Republicans regarding group meetings, the Dr. Laffer Event, creation, distribution or provision of “free speech” signs used at the 11/18/19 Laffer Event, the 11/14/19 tabling event, any plan to forgo requesting a permit for tabling and/or “free speech protest”, whether for Nov. 2019 or any other event in August – November 2019, the appearance of TP USA at the 11/14/19 Tabling Event, suspension of BU College Republicans, including but not limited to College Republicans’ B-there account, communications with named defendants, and any and all BU College Republicans events, speakers hosted, tablings, distribution of flyers or signs, room or space reservations, or meetings from August 2019 – present;
2. Copies of e-mails sent to/from the College Republicans and/or Scagnelli account (pscagne2@binghamton.edu) which were authored, sent, and/or received by any BU Republicans or Scagnelli regarding the Dr. Laffer Event, creation, distribution or provision of “free speech” signs used at the 11/18/19 Laffer Event, the 11/14/19 tabling event, the appearance of TP USA at the 11/14/19 Tabling Event, suspension of BU College Republicans, including but not limited to College Republicans’ B-there account, communications with named defendants, and any and all BU College Republicans events, speakers hosted, tablings, creation or distribution of flyers or signs, room or space reservations, or meetings from August 2019 – present, and any emails between Scagnelli and Raj Kannappan (including attachments);
3. Please ask Mr. Scagnelli to sign the attached authorization relating to search for or disclosure of specified emails from the account pscagne2@binghamton.edu and provide to this office;
4. Copies of any e-mails on the subject matter set forth in #2 about form the account pscagnelli@gmail.com;
5. Copies of any flyers created by Scagnelli for any BU College Republicans meeting or event, per his testimony;
6. Copies of Scagnelli’s e-mail resigning from the College Republicans and/or Treasurer office (circa February 2020);
7. Copies of any contact information Scagnelli has for Brian Murray, per his testimony; and
8. A complete copy of the e-mail(s) which are part of defendants’ Exhibit 9, specifically the portion noted as “quoted text hidden”.

If you require a more formal demand or clarification of the materials sought, please advise.

Thanks,
John

John F. Moore, A.A.G.
Litigation Bureau
NYS Attorney General
The Capitol, Albany, NY 12224
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Exhibit

8

From: Steve Miller
To: Moore, John; Kuryluk, Amanda; Tom Saitta; Peter Orville
Cc: Andrew Hruska; Joe Zales; Kyle Maury; Tyson Langhofer; Phil Sechler
Subject: RE: Motion for Leave to Amend Complaint - Meet and Confer
Date: Friday, April 14, 2023 2:42:07 PM
Attachments: [RE Activity in Case 320-cv-00822-LEK-TWD Young America's Foundation et al v. Stenger et al Status Report Order.msg](#)
[RE Activity in Case 320-cv-00822-LEK-TWD Young America's Foundation et al v. Stenger et al Status Report Order.msg](#)
[RE Activity in Case 320-cv-00822-LEK-TWD Young America's Foundation et al v. Stenger et al Status Report Order.msg](#)

John - Thanks for letting us know.

Regarding the requests for production, we have already made two productions for Restuccia and Kannappan and consider those complete. I am reattaching those emails for your reference. Additionally, we plan to produce documents from Blakeslee and Lizak early next week. We are working on the other requests as well and will produce responsive documents, if any, over the next few weeks.

Thanks,
Steve

From: Moore, John <John.Moore@ag.ny.gov>
Sent: Wednesday, April 12, 2023 6:59 PM
To: Steve Miller <SMiller@KSLAW.com>; Kuryluk, Amanda <Amanda.Kuryluk@ag.ny.gov>; Tom Saitta <tom.saitta@ailaw.com>; Peter Orville <peteropc@gmail.com>
Cc: Andrew Hruska <AHruska@KSLAW.com>; Joe Zales <JZales@KSLAW.com>; Kyle Maury <KMaury@KSLAW.com>; Tyson Langhofer <tlanghofer@adflegal.org>; Phil Sechler <psechler@adflegal.org>
Subject: RE: Motion for Leave to Amend Complaint - Meet and Confer

CAUTION: MAIL FROM OUTSIDE THE FIRM

Hi Steve:

Sorry for the delay. We do not consent to the proposed amended complaint, nor the individual liability claims.

Also, I'm following up on numerous requests for documents we made following depositions of various Plaintiff witnesses. The dates of the follow-up demands, and the witnesses involved, were as follows:

1/12/2023 – Restuccia
1/20/2023 – Kannappan
3/10/2023 – Blakeslee
3/16/2023 – Lizak
3/24/2023 – Haynes
3/29/2023 – Nelson

3/30/2023 – Scagnelli

While I concede that the latter few of these were made less than 30 days ago, the first three were more than 30 days ago, and require responses. Can you please advise as to status?

Thanks,

John

John F. Moore, A.A.G.
Litigation Bureau
NYS Attorney General
The Capitol, Albany, NY 12224
Ph: 518/776-2293
Fx: 518/915-7738 (not for service of papers)

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From: Steve Miller <SMiller@KSLAW.com>

Sent: Wednesday, April 12, 2023 6:11 PM

To: Moore, John <John.Moore@ag.ny.gov>; Kuryluk, Amanda <Amanda.Kuryluk@ag.ny.gov>; Tom Saitta <tom.saitta@ailaw.com>; Peter Orville <peteropc@gmail.com>

Cc: Andrew Hruska <AHruska@KSLAW.com>; Joe Zales <JZales@KSLAW.com>; Kyle Maury <KMaury@KSLAW.com>; Tyson Langhofer <tlanghofer@adflegal.org>; Phil Sechler <psechler@adflegal.org>

Subject: RE: Motion for Leave to Amend Complaint - Meet and Confer

Counsel,

We are following up on our Local Rule 7.1(a)(2) request. Please let us know whether or not your clients oppose Plaintiffs' motion for leave to amend.

Thanks,

Steve

From: Moore, John <John.Moore@ag.ny.gov>

Sent: Friday, April 7, 2023 11:42 AM

To: Steve Miller <SMiller@KSLAW.com>; Kuryluk, Amanda <Amanda.Kuryluk@ag.ny.gov>; Tom Saitta <tom.saitta@ailaw.com>; Peter Orville <peteropc@gmail.com>

Cc: Andrew Hruska <AHruska@KSLAW.com>; Joe Zales <JZales@KSLAW.com>; Kyle Maury <KMaury@KSLAW.com>; Tyson Langhofer <tlanghofer@adflegal.org>; Phil Sechler

psechler@adflegal.org

Subject: RE: Motion for Leave to Amend Complaint - Meet and Confer

CAUTION: MAIL FROM OUTSIDE THE FIRM

Thanks Steve.

I need to consult with my clients and have not heard back as of this writing. I expect this may be because of the holiday weekend. Can I report back Monday?

Also, as a follow-up, we made a request for Defendant Rose to review and execute his transcript per FRCP 30(e)(1). To date, Plaintiffs have not provided that transcript to State Defendants. Can you please do so?

Thanks,
John

John F. Moore, A.A.G.
Litigation Bureau
NYS Attorney General
The Capitol, Albany, NY 12224
Ph: 518/776-2293
Fx: 518/915-7738 (not for service of papers)

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From: Steve Miller <SMiller@KSLAW.com>
Sent: Thursday, April 6, 2023 6:50 PM
To: Moore, John <John.Moore@ag.ny.gov>; Kuryluk, Amanda <Amanda.Kuryluk@ag.ny.gov>; Tom Saitta <tom.saitta@ailaw.com>; Peter Orville <peteropc@gmail.com>
Cc: Andrew Hruska <AHruska@KSLAW.com>; Joe Zales <JZales@KSLAW.com>; Kyle Maury <KMaury@KSLAW.com>; Tyson Langhofer <tlanghofer@adflegal.org>; Phil Sechler <psechler@adflegal.org>
Subject: Motion for Leave to Amend Complaint - Meet and Confer

[EXTERNAL]

Counselors,

We are reaching out to satisfy the meet and confer requirement under Local Rule 7.1(a)(2). Plaintiffs plan to move for leave to amend the complaint to add allegations about the personal involvement of Defendants Stenger, Rose, and Pelletier, as contemplated by Judge Kahn's ruling on the motion to

dismiss (Dkt No. 70), and to join Rein Bey as a plaintiff. We have attached the proposed amended complaint here. Please let us know whether or not your clients oppose Plaintiffs' motion for leave to amend. We are happy to schedule a call to discuss further if needed.

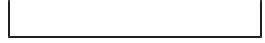
Thanks,

Steven Miller

Associate | Special Matters & Government Investigations

T: +1 212 790 5363 | E: smiller@kslaw.com | [Bio](#) | [vCard](#)

King & Spalding LLP
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34th Floor
New York, NY 10036


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